

Westpark Las Palmas Homeowners Association Rules and Regulations

Article VIII: Parking and Motor Vehicles Rules and Regulations

Section 8.1 Authority. The Westpark Las Palmas CC&Rs require that the Association, or agency representing the Association, enforce all parking restrictions. Please refer to CC&R's Article VIII Residence and Use Restrictions, Section 8.02 Parking and Vehicular Restrictions.

Section 8.2 General Parking Policy. All parking in marked vehicle spaces and on-street parallel parking is designated as "Guest or Visitor Parking" and as such, parking by residents is prohibited except for vehicles which have parking permits or are temporarily "safe listed." Aside from the aforementioned exceptions, residents must park in garages or driveways. Guest parking violations will be subject to fines and/or towing. All non-parking areas, which include curb parking in front of driveways/garages (driveway aprons) and between garages, will also be subject to fines and/or towing. There shall be no parking in "Fire Lanes." Fire lanes are marked by red curbs and/or signs. Fire lane violators will be towed at violator's expense without notice.

Section 8.3 Limitations of Common Area Parking Space Use. The use of the marked parking spaces and on-street parallel parking is limited to use by guests/visitors and residents with a temporary safe list or parking permit. Any other vehicle is subject to towing at owner's expense. Parking areas shall be used for no other purpose than to park motor vehicles or for loading or unloading.

Section 8.4 No Parking Areas. Vehicles may not be parked in such a manner as to block access to garages, fire hydrants, sidewalks running perpendicular to drives, pedestrian-crossing areas, fire lane or clear two-lane passage by vehicles on roads and drives. Vehicles may not be parked between garages. Vehicles in violation will be subject to fines and/or immediate towing. Any vehicle parked in such a manner as to create a safety hazard will be towed immediately, without notice, at owner's expense. Vehicles parked in fire lanes marked by red curbs and/or signs will be towed immediately at violator's expense.

Section 8.5 Visitor/Guest Temporary Parking. Residents may "safe list" their guest's vehicle. Residents may "safe list" a vehicle ten (10) times (in one day increments) in a 90 day period. Guest vehicles may be parked in visitor/guest parking during the day without being safe listed, however, a vehicle must be safe listed by 10:00 p.m. to remain parked in the community overnight.

Section 8.6 Resident Temporary Parking. Residents who have a special need to park in Visitor/Guest Parking (for example while temporarily using their garage and/or driveway for home improvement projects) may have their vehicles temporarily "safe listed". Residents may "safe list" their own vehicle to park in visitor/guest parking ten (10) times (in one-day increments) in a 90 day rolling window. Residents may not park their vehicles in guest parking during the day or the night without being "safe listed." Residents must be in good standing with the Association and temporary safe listing may be revoked for non-payment of Association dues.

Safe listing is a privilege and not a right and any abuse of the privilege will result in the privilege being revoked. **IMPORTANT NOTE:** The “safe listing” days are counted by unit, and not by vehicle. Each unit is allotted ten days in a 90-day rolling window to park a vehicle, whether it be for a guest’s vehicle or a resident’s vehicle.

Section 8.7 Resident Parking Permit. Parking permits for residents to park in visitor/guest parking without the need to safe list the vehicle may be obtained through the Association. This is only available for residents without a driveway. Residents who have a driveway will not be allowed to obtain a parking permit and residents must park vehicles in their garage and driveway only. One permit can be issued for a unit with no driveway, where there are three licensed drivers who are living full time within the unit, three vehicles registered to the unit address, and both garage spaces are used appropriately for vehicle parking. A resident will be allowed one parking permit after submitting copies of all appropriate paperwork, by completing a garage inspection to insure that two **daily use** (no stored cars) motor vehicles can be and are parked in the garage, and by paying a permit fee. Appropriate paperwork consists of permanent driver’s licenses for all three licensed drivers and registration documents for all three licensed vehicles. Temporary documents **will not** be accepted. Upon completion of an application, a successful garage inspection and payment of a permit fee, residents will receive a permit for the specific motor vehicle that will be parked outside. For parking in garages and/or driveways, two motorcycles will be considered equivalent to one "motor vehicle." In determining whether a permit will be issued, the following garaged vehicles do not qualify: vehicles with expired registration, vehicles with current non-operating registration, registered off-road vehicles, and any commercial or recreational vehicles.

Parking permits are not automatic and may be revoked by the Board. Parking permits may be unavailable or limited in some areas due to limited parking spaces in that particular area. The parking permits are charged an annual fee to offset administration costs and to enforce an equitable sharing of the common element use. These permits will allow parking of the resident’s vehicle in common element parking areas but will not guarantee the availability of space. Residents must be in good standing with the Association and the permit may be revoked for non-payment of Association dues. Permits may be revoked upon discovery of any fraudulent information on the permit application. Permits are limited to a maximum of one per unit. Permits are a privilege and not a right and any abuse of the privilege will result in the privilege being revoked.

At no time is a vehicle to be stored in visitor/guest parking. A stored vehicle is defined as being in one guest parking space for a continuous 72 hour period. If a vehicle is found to be stored for more than a continuous 72 hours, it will receive a ticket and warning. If the stored vehicle remains in guest parking for another continuous 72 hours, it will then be towed. This rule will apply to all stored vehicles whether or not they have a permit. At no time shall vehicles be parked on the wrong side of the road. If a vehicle is parked on the wrong side of the road, it may be immediately towed.

Section 8.8 Garage Use. No boat, trailer, non-motor driven vehicle, or non-daily use vehicle can occupy space in a garage, if by doing so, displaces a vehicle from the garage or driveway onto common element visitor/guest parking. A garage shall not be used for living, recreational

or business purposes. Also, a garage shall not be used for storage if such usage displaces more than one vehicle from the garage or causes any vehicle to be parked in visitor/guest parking. Garage doors shall be kept closed at all time, except as reasonably required for ingress to and egress from the interiors of the garage.

Section 8.9 Boats, Campers, Motorhomes, Trailers, Oversized Vehicles and Commercial Vehicles. Boats, campers, motorhomes, trailers, other vehicles having more than four tires and commercial vehicles are prohibited in the common element parking areas and driveways, except for temporary loading and unloading, for periods not in excess of ten hours, or as may be designated by the board. Construction equipment used in actual repair, construction or maintenance of the Property will not be so restricted during such use. A vehicle may not overhang the driveway as if a vertical post were installed at the end of the cement curb or parking space where it is parked, nor may it unreasonably block the line of sight for drivers because of its length or mass, except for temporary loading or unloading, as described above. No vehicle may be parked on a driveway or in a common element parking space for any amount of time that, because of its size or because of the manner in which it has been parked, will impair the free flow of traffic or cause a hazard for pedestrians or drivers.

Commercial vehicles are defined as but not limited to vehicles having any of the following attributes: logos, company names, telephone numbers, racks, ladders, tool boxes on the sides, trailers, vehicles over $\frac{3}{4}$ ton, more than two axles or vans or buses designed to carry more than ten persons. Recreational vehicles are defined as but not limited to vehicles like the following: motorhomes, cab-over campers, personal watercraft, trailers of all types, unlicensed vehicles, boats, and aircraft.

Section 8.10 Off-Road and Unlicensed or Immobile Vehicles. Off-road vehicles including trail bikes, jeeps and other four-wheel drive vehicles not used in maintenance are prohibited, except where licensed and equipped for passage on public highways, and actually used by licensed drivers on the paved portions of the property. Except for other motor-assisted bicycles and wheel chairs as permitted by state law, all highway vehicles used or parking on the property will be licensed and properly equipped and in operating condition for safe travel on the public highways of the state. Vehicles will not be disassembled, repaired, rebuilt, painted or constructed except for inside garages with the door closed. Following Notice and Hearing, the Association may remove, at the cost of the unit Owner responsible, any vehicle remaining immobile in excess of 48 hours. At no time is a vehicle to be stored in a driveway.

Section 8.11 Compliance with Law. All persons will comply with California State Laws, Department of Motor Vehicle regulations, and applicable local ordinances, on the roads, drives and property.

Section 8.12 Speed Limit. All owners, residents and guests must comply with the posted speed limits in the community at all times. The speed limit on the entrance road (Coronado) is 10 miles-per-hour. The speed limit on all other streets and drives is 5 miles-per-hour.

Section 8.13 Enforcement, Violation, Fines and Fees. The Parking Rules will be strictly enforced. Violations are subject to fines and towing. After three (3) citations or violation letters are received per unit within a twelve month period the offending owner will be fined, the vehicle towed, or both. While a notice or citation will be placed on vehicles in violation of Association rules, these notices are provided as a courtesy only. The Association or the patrol company will not be responsible should any vehicle be towed for violation of these Rules, whether or not a notice or citation was received on the vehicle. Fines which are levied are in accordance with the Association's Fine and Violation Policy. It is the owner's/resident's responsibility to prevent towing of their vehicles and not the responsibility of the Association.

(Adopted: 1/1996; Revised: 10/1996; Revised: 9/2009; Revised: 3/2018; Revised 8/2018)